

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL APPLICATION NO. 5238 OF 2004
IN
CRIMINAL APPLICATION NO. 1921 OF 2004
IN
CRIMINAL APPEAL NO. 575 OF 2004

Shivaji @ Shiva Sitaram Beturkar .. Applicant.
(Orig.Accused no.2)
V/s.
The State of Maharashtra. ..Respondent
Mr. Inderjeet Joshi for the applicant.
Mr. B.R. Patil, P.P. for the Respondent/State.

**CORAM : S.B. MHASE &
ANOOP V.MOHTA, JJ.**

DATE : 1ST DECEMBER, 2004.

P.C.

. This is an application for modification of the order, dated 4th November, 2004, wherein this Court has directed - "Hence it is directed that he (applicant/accused) be released on bail in the sum of Rs. 50,000/- with two sureties in the like amount". The learned Counsel submitted that by this order, it is necessary to furnish two sureties of Rs. 50,000/- each and, thereby, the bail goes up to Rs. 1 lac. He submitted that earlier, during the trial the applicant was on bail of Rs. 10,000/- with surety in the like amount. However, the present order is causing a greater

hardship to avail a bail facility. He further submitted that already there is an observation that the bail was not misused and therefore, he requested this Court to delete the words "in the like amount" from the operative part of the order, so that the applicant can tender with two sureties for Rs. 50,000/- to avail bail. Mr. Patil, P.P. has no objection for such modification.

2. We therefore, modify the order by deleting the words "in the like amount". Hence, it is directed that the applicant be released on bail in the sum of Rs. 50,000/- with two sureties. Criminal Application is disposed of.

. Parties concerned to act on a simple copy of this order, duly authenticated by the Registry of this Court.

[ANOOPI V. MOHTA, J.]

[S.B.MHASE, J.]